

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALAN SWANSTROM,	)	
	)	No. C05-0233RSL
Plaintiff,	)	
v.	)	ORDER DENYING LEAVE TO
	)	AMEND
THE BOEING COMPANY, a foreign	)	
corporation,	)	
	)	
Defendants.	)	

This matter comes before the Court on plaintiff’s “Motion to Amend Complaint” (“Motion”). Plaintiff brought suit in King County Superior Court against his former employer for negligent termination and investigation related to the termination of his employment. Defendant timely removed the action to this Court. Plaintiff’s subsequent Motion to Remand was denied by this Court. Plaintiff now requests leave to amend his complaint to include federal causes of action. Motion at 2. Plaintiff has supplied neither a proposed order, nor a proposed amended complaint for the Court’s review.

Fed. R. Civ. P. 15(a) states that “leave [to amend] shall be freely given when justice so requires.” A court must consider four factors when determining whether to grant leave to amend: bad faith, undue delay, prejudice to the opposing party, and the futility of amending. See Kaplan v. Rose, 49 F.3d 1363, 1370 (9<sup>th</sup> Cir. 1994). Having not been provided with a proposed amended complaint, the Court cannot determine the appropriateness of granting leave

1 to amend. Therefore, plaintiff's Motion to Amend is denied. The Court is willing to consider  
2 this matter again in the future if the deficiency in plaintiff's motion is corrected.<sup>1</sup> For all of the  
3 foregoing reasons, Plaintiffs' Motion to Amend is DENIED.

4 DATED this 8th day of April 2005.

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7 Robert S. Lasnik  
8 United States District Judge  
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24 <sup>1</sup> Plaintiff has also failed to comply with Local Rule 7(b)(1) which requires the "moving party  
25 shall serve the motion *and a proposed order* on each party...and...with the clerk."  
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